

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA**

**JAY SMITH, INDIVIDUALLY AND AS
SPECIAL ADMINISTRATOR OF THE
ESTATE OF VIRGINIA SMITH,
PLAINTIFFS**

VERSUS

**TAKEDA PHARMACEUTICALS
AMERICA, INC.; TAKEDA
PHARMACEUTICALS U.S.A., f/k/a
TAKEDA PHARMACEUTICALS
NORTH AMERICA, INC., and TAKEDA
PHARMACEUTICAL COMPANY
LIMITED;
DEFENDANTS**

MISC. CASE NO. 16-mc-69

JUDGE DOHERTY

MAGISTRATE JUDGE HANNA

**REPORT AND RECOMMENDATIONS ON UNOPPOSED MOTION FOR
SETTLEMENT AS TO CLAIMS OF DECEDENT, VIRGINIA SMITH**

This Court, having reviewed Plaintiffs' Unopposed Motion to Approve Settlement as to Claims of Jay Smith (surviving son) as Special Administrator and Derivative; and Tammy Vann, as Derivative Claimant and Takeda Pharmaceutical Company Limited and Takeda Pharmaceuticals U.S.A., Inc. (collectively "Takeda"), the parties having received due notice of and having had the opportunity to be heard, and this Court having considered all submissions made, I recommend to the Court that the Motion be

GRANTED and

The settlement by and between Plaintiffs, Jay Smith as Special Administrator and Derivative; and Tammy Vann, as Derivative Claimant individually and as legal heirs to the Estate of Virginia Smith deceased, and Takeda, as notice to the Court on October 31, 2016 be


APPROVED.

The Court has jurisdiction of this matter by virtue of the Plaintiffs participating in the Actos MDL Master Settlement Agreement.

ANY PARTY OBJECTING TO THIS RECOMMENDATION SHALL SUBMIT OBJECTIONS, IN WRITING, DIRECTLY TO JUDGE DOHERTY'S CHAMBERS – AND SHALL NOT FILE THE OBJECTION INTO THE RECORD – NO LATER THAN TEN (10) DAYS AFTER ENTRY OF THIS RECOMMENDATION.

If there is no objection within ten (10) days of the entry of this Recommendation, the Recommendation will become an Order.

This is DONE AND SIGNED in Lafayette, Louisiana, this 2nd of November, 2016.



HONORABLE PATRICK J. HANNA
UNITED STATES MAGISTRATE JUDGE